

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,**

Debtor.

**IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,**

Plaintiff,

v.

ALPHA PRIME FUND LIMITED *et al.*,

Defendants.

)
)
) **Adv. Pro. No. 08-01789**
) **(SMB)**

)
) **SIPA LIQUIDATION**

)
) **(Substantively Consolidated)**

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)
)
)
) **Adv. Pro. No. 09-01364**
) **(SMB)**

**[PROPOSED] ORDER ISSUING A LETTER OF REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR
EXTRAJUDICIAL DOCUMENTS IN CIVIL OR
COMMERCIAL MATTERS**

Upon the Motion (the “Motion”), dated January 31, 2020, brought by Alpha Prime Fund Ltd. (“Alpha Prime”) seeking entry of an Order (the “Order”) issuing a Letter of Request (as defined in the Motion) to be transmitted, via the appropriate channels, to the applicable court in Austria to obtain the testimony of Wilhelm Holzer; and it appearing that due and sufficient notice of the Motion has been given under the circumstances; and it further appearing that the relief sought in the Motion is appropriate based upon the information provided in the Motion and in the record; and it further appearing that this Court has jurisdiction to consider the Motion and the relief

requested therein pursuant to 28 U.S.C. §§ 157 and 1334(b); and after due deliberation; and sufficient cause appearing therefor; it is hereby

ORDERED that the Motion is granted; and it is further

ORDERED that the Letter of Request, in the form submitted with the Motion, shall be signed and sealed by the Court for transmission to the appropriate judicial authority in Austria so that valid service of process may be effectuated upon Wilhelm Holzer.

Dated: New York, New York
February __, 2020

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE